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8	UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON		
9	AT SEATTLE		
10	AMAZON.COM, INC., et al.,	CASE NO. C22-1183 MJP	
11	Plaintiffs,	ORDER GRANTING <u>EX PARTE</u> MOTION TO CONSOLIDATE	
12	v.	MOTION TO CONSOLIDATE	
13	AUTOSPEEDSTORE, et al.,		
14	Defendants.		
15		I	
16	This matter comes before the Court on Plaintiffs' Ex Parte Rule 42 Motion to Consolidate		
17	Cases. (Dkt. No. 9.) Having reviewed the Motion, the Complaint in this matter and the		
18	Complaints in C22-1184 MJP and C22-1186 MJP, and all supporting materials, the Court		
19	GRANTS the Motion.		
20	On August 25, 2022 Plaintiffs filed three separate lawsuits alleging what they assert to be		
21	"identical causes of action based on similar fact patterns" against different groups of defendants.		
22	(Dkt. No. 9 at 2.) Plaintiffs pursue breach of contract, Lanham Act, and Washington Consumer		
23	Protection Act claims in all of the lawsuits, but they assert them against apparently distinct		
24			

defendants. The other cases are C22-1184 MJP and C22-1186 MJP. Although Plaintiffs chose to file these lawsuits separately, they now ask the Court to consolidate them for all further proceedings.

Under Rule 42(a), the Court may consolidate cases that involve common questions of law or fact. Fed. R. Civ. P. 42(a). The Court enjoys broad discretion in making this determination.

See Inv'rs Research Co. v. U.S. Dist. Ct. for Cent. Dist. of Cal., 877 F.2d 777, 777 (9th Cir. 1989). The Court usually considers several factors in analyzing consolidation, including judicial economy, whether consolidation would expedite resolution of the case, whether separate cases may yield inconsistent results, and the potential prejudice to a party opposing. See 9 Charles Alan Wright & Arthur R. Miller, Federal Practice and Procedure: Civil § 2383 (3rd ed. 2020).

The Court finds that consolidation is appropriate on the record before it. Having reviewed the Complaints in all three cases, the Court is satisfied that the lawsuits share related issues of law and overlapping facts. Consolidation will help ensure consistent resolution of issues of law, and it will expedite resolution of the cases. While the Court notes that consolidation ex parte is unusual, it finds the matter ripe at this stage for purposes of economy and efficiency. And the Court accepts at this time Plaintiffs' assertion that "Defendants will suffer no prejudice by consolidation." (Dkt. No. 9 at 4.) But the Court's Order does not foreclose Defendants from challenging Plaintiffs' assertion or the Court's Order on consolidation once they have been served and have an opportunity to respond to these lawsuits. Any such challenge must be filed within 30 days of service. With that caveat, the Court GRANTS the Motion and ORDERS these three cases be consolidated.

All papers filed in this consolidated action must be filed under Case No. C22-1183 MJP, the number assigned to the first-filed case, and they must bear the following caption:

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8	UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON		
9	AT SEATTLE		
10			
11 12	AMAZON.COM, INC., et al., CASE NO. C22-1183 MJP		
13	Plaintiffs,		
14	V.		
	AUTOSPEEDSTORE, et al.,		
15	Defendants.		
16 17			
18	The clerk is ordered to provide copies of this order to all counsel.		
	Dated October 19, 2022.		
19 20	Marshy Melens		
21	Marsha J. Pechman United States Senior District Judge		
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